

5-26-2017 - 90-day FSTM (Family Support Team Meeting)

Attendees: Theresa Whaley (DFS Officer), Jennifer Williams (GAL and personal attorney for S.H. and M.H.), Angela Champion with CASA, Cassie and John Rideout, foster parents, Siegrid Maness attorney for Bernice Haynes, Judy Moss CASA Director, Pamela Stark Juvenile Officer, and Kerri Morrow with DFS.

Theresa Whaley: Ok, I guess we'll go ahead and get started. This is the 90-day Family Support Team Meeting, and we'll go ahead and do introductions because we do have one new person here, and so I'm Theresa Whaley, and I'm the Case Manager on this case.

Williams: I am Jennifer Williams. I am the Guardian Ad Litem for the girls.

Siegrid Maness: I'm Siegrid Maness and I represent Bernice Haynes, the grandmother.

Angela Champion: And I'm Angela Champion, the CASA Worker

Judy Moss: I'm Judy Moss, the Program Director of CASA.

Cassie Rideout: I'm Cassie Rideout, the foster mom.

John Rideout: I'm John Rideout, the foster parent.

Scott Foster: Scott Foster, the therapist

Plaintiff: I'm Plaintiff, the mom.

Pamela Stark: I'm Pamela Stark, from the Juvenile Office.

Theresa Whaley: And Angela, do you spell your last name like it sounds C-h-a-m-p-i-o-n?

Angela Champion: Yes.

Theresa Whaley: So, are you familiar with what Family Support Team Meetings?

Angela Champion: Yes.

Keri Morrow: Because you're a former parent, so you know all about Family Support Team meetings.

Theresa Whaley: And this is Keri Morrow, this is my supervisor. Angela Champion from CASA and Angelina is actually a former foster parent over in Stoddard County.

Keri Morrow: Good.

Theresa Whaley: So she is very familiar with our process. So like I said this is the 90-day meeting, and we're here to discuss the progress, and talk about the girls, and Cindy, and maybe umm discuss some goals maybe that we can set up for a written service agreement since umm we haven't really had adjudication yet, I know that keeps kind of being delayed. And before I forget, Pam [Stark], it's my understanding we're going to court on the 5<sup>th</sup>, to set a date [June 5, 2017]; is that correct?

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Pamela Stark: Right, I said Juvenile Office agreed to bump it so that M.H. wouldn't have to miss any school.

Theresa Whaley: Okay and the same – now the juvenile, or the -- yeah, the other mother's, and M.H.'s [criminal case 17RI-JU00033] one.

Pamela Stark: I am moving it too.

Theresa Whaley: You're moving both, [17RI-JU00033] but...

Plaintiff: Thank you.

Pamela Stark: And right now, my understanding is [Judge] Swindle is gonna to recuse in the child case so it will get in front of.

Theresa Whaley: That was my question.

Pamela Stark: Between now and the court date the goal is to get it assigned to [Judge] Shock so that he has all of it.

Theresa Whaley: Judge Shock also. That was my question because I knew that it was [Judge] Shock's.

Plaintiff: I'm not in favor of that.

Pamela Stark: Yeah, so he has all. Well, then...

Plaintiff: I'm not in favor of that.

Williams: That may not happen, Cindy, ...

Plaintiff: I'm not in favor of that.

Williams: typically when someone recuses, they go to [Judge] Bloodworth ---- and so unless Bloodworth recuses,

Pamela Stark: Which he did, and I definitely know he did. That's how it got to Shock.

Williams: Oh, well.

Plaintiff: Well, just a judge that doesn't know any of us, so fresh eyes on the case.

Siegrid Maness: [laughing] and it does need to be a judge that knows what's going on.

Theresa Whaley: Well, I mean, quite frankly until the judge gets assigned, it's really out of all our control.

Plaintiff: Just a judge that doesn't have a conflict in this case.

Theresa Whaley: If it does get assigned to Shock, I mean your attorney will need to file motions and do all the issues – I started to say, I know you don't have one, Jasper

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withdrew. Can you give us an update on – are you close to securing a new lawyer for the juvenile case?<sup>1</sup>

Plaintiff: Still working on that.

Plaintiff: Okay, well I'm just curious, I mean, it's just there's a lot of things that's going on here, that is the reason that it has been brought up into a play even, I think that Jennifer Williams on December 7<sup>th</sup> [2016] testified it was because of educational neglect that she took my kids or suggested to the judge, recommended to the judge that they take them away from me and put them in Bernice's Haynes and was court ordered [Dec. 22, 2016] to put them in public school. So, they took them out of the environment that M.H. was used to and put them into an environment that has not protected her. They have not been diligent in protecting my children at the school.

Scott Foster: Who hasn't Cindy?

Plaintiff: The school [Doniphan R1 Public School]

Scott Foster: So, the school, okay.

Plaintiff: The school, I mean, and so if this, just say, I'm just kind of putting this together in my mind here is if I had M.H. in my house and she was in my school and she had drugs they would be, they would be a putting a neglect thing on me and child neglect on me. So they are neglecting, why aren't you going after the school cause they're the ones neglecting her. They had the onus of protecting M.H..

Pamela Stark: That's beyond the scope of what I do. If you have concerns about the school, you take it to the police...

Plaintiff: I mean, I am not even saying she did that, I'm not saying, I'm just saying she's been accused of this...I'm not saying she did it.

Theresa Whaley: I will say that I did send M.H. for a hair test and a UA. Umm her hair test was negative. I hadn't had a chance to send that out yet. So, obviously, if she smoked any at all it was such a small amount that it didn't even show up in her hair test. When she got ready to do the UA, she got physically ill and how many times did she throw up at the lab?

Cassie Rideout: She threw up least four times and all over me. [M.H. could not take at least two strangers watching her pee- Cassie Rideout and the lab tech]

Theresa Whaley: They asked her – she was so nervous, she did not get a UA, not that day.

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<sup>1</sup> While in DFS custody and in Doniphan Public School, a small bag with marihuana was found in M.H.'s backpack by a school teacher. One of the students gave it to M.H. to use it to make her feel better. M.H. was charged with drug possession. That charge was subsequently dismissed. M.H. did not know the bag contained marihuana and she did not smoke any. The drug test demanded by Charles Haynes confirmed that M.H. was drug free.

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Cassie Rideout: But she's...

Kerri Morrow: That's a lot to ask for a twelve-year-old to take.

Cassie Rideout: There is no way that she could have done anything cause she is me.

Theresa Whaley: She is with you all the time.

John Rideout: Yeah.

Theresa Whaley: And that was before summer school even started, so I mean she wasn't.

Keri Morrow: And to do a UA, and have to sit and pee in front of somebody and be observed and...

Williams: The hair folical, when was that?

Theresa Whaley: I can go get it. I meant to bring it up here, so remind me and I'll give you a copy.

Williams: Just so that we know the dates.

Theresa Whaley: Yeah. So it's been what, a couple weeks now?

Cassie Rideout: Yeah, it's been about two weeks.

Theresa Whaley: Yeah. I just got it printed off the other day.

Plaintiff: This, to go back to this, I plan to get her an attorney, so.

Theresa Whaley: Okay. So, do you still want to get her an attorney?

Plaintiff: Yes.

Theresa Whaley: Okay. All right so umm then that covers that. And as far as umm what to include on the written Service Agreement, Cindy has had been referred for parenting classes that Judy Moss is gonna be teaching over in Poplar Bluff, umm that starts week after next?

Judy Moss: June the 6<sup>th</sup>.

Plaintiff: Oh! June 6, I was thinking July 6, okay.

Theresa Whaley: And I think it's like eight weeks, is it eight weeks. So Cindy is willing to do that, and I told her that...

Judy Moss: Should she be in the middle class the 7-12 is that she will do.

Plaintiff: Is that here in Doniphan?

Theresa Whaley: It's in Poplar Bluff. I think I sent you the, didn't I send you the schedule? Okay,

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so what I explained to Cindy is that we can all benefit from additional parenting, so she is agreeable to do that.

Plaintiff: At what time?

Judy Moss: Which one, you want her in the teenage one or the?

Theresa Whaley: I think the teenage one would be helpful since M.H. is 12

Plaintiff: Yeah, I can always learn something about teenagers.

Cassie Rideout: We can all learn something from teenagers! It's that age!

Judy Moss: And the reason is that I will be teaching three classes that night!

Theresa Whaley: Okay, I've got one set of parents who have to go to all three classes so...

Judy Moss: Oh wow, we're gonna talk about that one.

Theresa Whaley: So, you're lucky you're getting off easy. So anyway, she is agreeable to do that. We had discussed another psych eval and I know that some of the team had asked for Cindy to have another evaluation. I think she's willing to do that; however did you have questions about why that is being asked of you?

Williams: I'll tell you about my position on that, because the prior psych evals that you had identified some concerns, and we had a lot of time since then. We've had more than a year. Any time that you got more than a year between those psych evals, I think it's a good idea to have you update that, just to see what has improved, and what still needs to be addressed. So that's my position on why I asked you for that because I feel like we've had quite a bit of time since that last psych eval, and it doesn't hurt to have an update to see where the progress is.

Kerri Morrow: And Children's Division can pay for that.

Theresa Whaley: Now you had two, that I found in your record, and they were both done in 2014.

Plaintiff: Yes, but why is that being brought in this case? Why are you combining X case and this case? I'm not agreeable to that.

Williams: Because I've read those psych evals and there are things in there that I am concerned about. I want to see what progress.

Plaintiff: Why is that case brought into this case?

Williams: Because that goes to your heritage...

Pamela Stark: It's your history. It's your history.

Cindy: No, it's not, it's a separate individual case. Has that been combined? Has it been combined into this case?

Keri Morrow: Cindy, listen to me for just a minute okay. So the issues that you were having

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when the kids were in care before are kind of the same issues. Nothing has been resolved between you and Chuck, that's part of the problem. And so the girls as you and I discussed, continue to live in that, to deal with that. They don't have any, none of you have any peace, right; we talked about that. So I'm just saying that, you know, if there some recommendation or some service that we can offer you or the girls some help you get past all of this, then I think it's worth giving it a shot.

Cindy: Well, I would like to be able to have an attorney to you know to talk that over with.

Theresa Whaley: Okay. And you said that if you didn't you wanted a different provider and I'm fine with that. I have no issue with that. So you know talk to your attorney, and we can hold off on that.

Keri Morrow: We will not ask you to sign it and do anything your attorney look at it.

Plaintiff: Because I mean this really brings up if we go to previous histories and cases, you know, I was not agreeable for the girls to be in Bernice Haynes' house alone. I mean that was one of my big concerns because I don't want Chuck coming and going as he pleases.

Theresa Whaley: And we did have a pending sexual abuse investigation currently.

Plaintiff: I mean that recommendation, the intervener, and the GAL recommending them to go into that kind of environment knowing the history, where is that. What is that kind of professionalism there to protect these children?

Williams: Cindy, when that recommendation was made, I was making that recommendation based on an attempt to do everything that I could do to keep your kids out of Care, because that way I did have extremely serious concerns about educational neglect. You testified in court and could not tell me anything about what those kids who were studying. There were...

Plaintiff: Oh no.

Williams: Yes.

Plaintiff: Well, we need to get a transcript of that.

Williams: Absolutely, you are entitled to that. You can hire a court reporter.

Plaintiff: I thought we were there [Dec. 7, 2016 hearing] about protecting the children.

Williams: That is absolutely not true because you and I have had conversations in my office about what the girls were learning, and I expressed to you that I wanted you to be able to communicate that.

Plaintiff: And I did bring you, their records.

Williams: Only after court and those records were not sufficient.

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Plaintiff: No, it was before.

Williams: Those records were not sufficient to address my concerns.

Plaintiff: Well, being that M.H. is in 7<sup>th</sup> Grade and her peers are in 6<sup>th</sup> grade that is like a real big red flag that they don't have educational neglect, they're, she is a year advanced.

Williams: Information has come to light now based on their enrollment in public school, it does help address that for me and I don't have concerns that they're not up to par in education.

Plaintiff: Well, that's why I took them and immediately [after Dec. 7, 2016 hearing] enrolled them into the West Point school so that they could be tested and then there's and so then they had that testing and then they'd have the testing at the public school that has just negated all these concerns that...

Williams: With regard to the educational neglect, you are correct.

Plaintiff: So that is the reason.

Theresa Whaley: So what's --I guess before we go any further, Jennifer can you be specific to me, so I know how to provide services, what's specific concerns are you having at this time?

Williams: I am very concerned Mom and M.S.H. are manipulating these girls, pressuring them to take actions that are not consistent with their ages. I know that there have been times when the girls were in Bernice's care that Mom tried to get the girls to her, specifically, M.H., to record things that were happening in the home in an attempt to manipulate them.

Theresa Whaley: How are we going to address that as a team?

Williams: I want to see an updated psych eval, I think that will help me know what a mental health professional sees as a concern or not a concern, that's a that's a big deal for me. I want you to be able to have that updated psych eval so that we know where problem areas are, if any.

Plaintiff: Well, with all due respect to you, and what you've asked, and you wanted a fresh set of eyes like Mr. Foster here on the case, I would ask and request a fresh set of eyes as a GAL be assigned to this case.

Williams: You could file any motion that you want to file.

Plaintiff: And also – well it is an oral motion that I'm making right now.

Williams: I don't feel like I have a reason to recuse, and I don't think that you can make an oral motion and something like that can...

Pamela Stark: Right, it has to be before the judge.

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Williams: I can tell you I'm not going to; I am part of the team, and I am not going to agree to that.

Plaintiff: Yes, you did have a serious conflict interest because you were in the same law firm [Kennedy, Kennedy, Robbins & Yarbrow, LC] that Chuck was hired this lawyer [Chris Yarbrow] and was represented by his lawyer.

Williams: But not so that I worked there.

Plaintiff: Well, but that is what you had told me when you first got on the case, you're saying you had.

Williams: When did you hire them?

Plaintiff: I would have to go look up the case, it's a good.

Williams: Here's the deal, if I brought that to you it was for the purpose of you raising any conflict at that time. I don't remember having that conversation with you, but I won't say I didn't because that is my practice. I try to always identify any potential conflict very early on for that reason so that we won't be months down the road and all embroiled in a case that now somebody is raising a conflict.

Plaintiff: Yes, well, it's just there's a lot of things I mean on the stand there on December 7, and since then the decisions that you've made have harmed M.H.

Williams: All I am going to tell you is that I am not going to voluntarily recuse when you hire your attorney you can talk with them and file whatever motions you need to file and the judge can make that decision and if he removes me, he removes me and I am okay with that, but I have to do my job in the meantime to the best of my ability, and that's where I'm at on that.

Plaintiff: Well, I'm asking for a fresh set of eyes just like you ask for me to have a fresh set of eyes and I acquiesced to that, and I would just like the same kind of acquiescence.

Theresa Whaley: Scott, can you kind of fill us in how it's going with the girls and Cindy and family, and you are doing individual with the girls and Cindy and family with all three [Cindy, M.H. & S.H.]...

Scott Foster: Yeah. I'm concerned really about a dual relationship here, I mean, there is an issue where Cindy will say something in individual therapy and then it's hard for me as a therapist you know to be real objective when I also see the girls individually. So one or the other, I don't mind to keep Cindy, I don't mind to keep the girls, but I think we need to find another therapist for one or the other.

Plaintiff: Well, I'll bow out.

Theresa Whaley: I know Cindy had started seeing Cindy Moses again and then I was approached that Cindy thought it would be better for her to see you.

Plaintiff: It was local, that's why.



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Keri Morrow: But he's got other counselors in his office.

Scott Foster: Yeah, you can see somebody else in the office – Diane Silman, S.H. Craig, or Lisa Colman.

Plaintiff: Okay, maybe Diane Silman.

Scott Foster: But here, here again, M.H. is just not opening up, with me, I mean she's just not very talkative, I was wondering if a female therapist might be better for her, because she's?

Cassie Rideout: She's not opening up with anyone.

Plaintiff: Well, she did like Cindy

Scott Foster: Right, I don't think that she is gonna open up with anybody because she's been with us for almost 4 months and she's just barely telling me things that had went on. She's just -- when you ask her questions about stuff or anything it's just like she's got a mental shutdown, it's almost like you can see a curtain fall over her face and she's just that hmm...

Scott Foster: Both girls are really sweet, but S.H. opens up to me and talks to me, but then M.H. just more standoffish and I just you know.

Cassie Rideout: And I think that would just take time.

Scott Foster: I thought maybe Diane, I thought maybe Diane Silliman since we are a new therapy dog that they're doing training this week and that might be perfect for M.H., just to be able to open up.

Theresa Whaley: So Diane is she able to see her patients now on a pretty regular basis?

Scott Foster: Yeah, pretty well, yeah, pretty well, she still takes her grandson to St Jude and everything, but I think...

Keri Morrow: So maybe then what do you all think about M.H. and S.H. switching to Diane because maybe the therapy dog would be a good idea and Cindy staying with you?

Scott Foster: Yeah, that would be fine, that would be fine with me.

Theresa Whaley: Then what about family, who will do family?

Scott Foster: Umm, I don't mind doing family at all. I could do individual therapy.

Williams: So that continue to be a conflict, your conflict was doing individual with the girls and then family?

Scott Foster: No, individual with the girls and mom and doing family therapy, I mean when if I just had Cindy as an individual client then I could do family therapy with her and the girls; that would be good.

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Siegrid Maness: And since February my client, Mrs. Haynes has wanted to get involved with some visits through Scott's office. You didn't even know about that until we talked about a week or two about that, is that right.

Theresa Whaley: Because the girls are adamant, they do not want to visit...

Siegrid Maness: But he can't address the issue if he doesn't know how to address it. I'm just saying that I would encourage Mrs. Haynes to call Cassie, talk to her, and check on the girls.

Cassie Rideout: She's called one time and that's it.

Siegrid Maness: She can't hear well on the telephone.

Plaintiff: Well, my mom can't hear well either, but she can just repeat it. She is happy to repeat

Cassie Rideout: She hasn't had any trouble when I was talking to her on the phone.

Siegrid Maness: She has trouble when I am talk to her. The point was to get Scott to work with the girls so that Mrs. Haynes could participate in some sessions; he could see the interaction and work on that relationship.

Theresa Whaley: But I thought that the issue is, our goal is reunification, so the issue and therapy needs to be if the concern with Jennifer is manipulation by Cindy and M.S.H. then don't, we need to be focusing the therapy on relationships with mom and how to...

Siegrid Maness: I think we need to try to bring all those relationships, reunification doesn't always work.

Plaintiff: Well, can I say something? Ms. Williams sounds like she was repeating Chuck's words, that's the exactly the same kind of words that Chuck repeats, and I can write, and I can, if you get a copy of the transcript, of the video that I have made of him. It's the same exact words that Chuck uses with me all the time for years, I mean it's just continuing the same line of Chuck through these years. I mean it's continued in the system now I guess through you [GAL Williams]. I mean if you go back and read that you will see the words that you're speaking to me today and to them that I am the one and M.S.H. is the problem, I'm the problem and M.S.H. is the problem.

Theresa Whaley: M.S.H. is a victim as well and I think people have kind of made her the villain in all of this.

Plaintiff: That's Chuck, Chuck is the one doing that.

Theresa Whaley: M.S.H. is a victim.

Siegrid Maness: She is not a victim in **this** case.

Plaintiff: Yes, she is.

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Theresa Whaley: Well, she is a victim child, just because she's 18 does not say that's she's not a victim child.

Siegrid Maness: laughing...She's only an alleged victim.

Plaintiff: She is a victim.

Theresa Whaley: Children's Division considered her a victim considered her a victim.

Siegrid Maness: Well the system considers her an alleged victim at this point.

Plaintiff: I do too. [consider her a victim like DFS does]

Theresa Whaley: Well Children Division considers her a victim at this point and

Siegrid Maness: A victim can still profile other children and can cause other problems.

Theresa Whaley: And former perpetrators can also perpetrate on other children. And we have a very serious concern about things that M.H. has written and that is one of the reasons that she doesn't want anything to do with her grandma because she said that she [Bernice Haynes] allowed him [Charles Haynes] to come over anytime and that Cindy was not manipulating her.

Siegrid Maness: How could you say that?

Williams: Cindy was not there at the time that I made my recommendation as to how to proceed was with the Intervenor. My request for you as the therapist or Diane if that's who we end up using, **would be for that therapist to address with the girls the relationship with grandma**, see if we can identify, alleviate any problems, and let that therapist try to address that.

Theresa Whaley: M.H. never even self-harmed as far as I know until January, if I am correct.

Plaintiff: No, no, no, that happened in Bernice's care, and I'm the one who addressed it. Now but I want to go back to this Jennifer Williams she does not want to get off the case and I was willing to acquiesce...

Williams: You were.

Plaintiff: I'm talking, just wait a second, I don't try to interrupt you.

Williams: Yes, you do, but go ahead.

Plaintiff: Ok, Ms. Jennifer does not want to get off the case and I was willing to acquiesce and to have a whole new set of eyes on the therapy being on the case. So she is not willing for a new set of eyes I am not willing for a new set of eyes, and I asked Cindy Moses to be her counselor because she is familiar with Cindy Moses. She feels comfortable talking to Cindy Moses, she has had a relationship with Cindy Moses, and I request Cindy Moses to be her counselor, and I will stick with Scott.

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Siegrid Maness: I would object to Cindy Moses.

Plaintiff: Of course you would.

Siegrid Maness: Of course I would, she was the previous counselor, and I don't think she addressed the issues and I think that's why we're continuing the...

Plaintiff: Well, Ms. Williams does not want to acquiesce and I'm not willing to acquiesce any longer – and if we are looking for a new therapist, I am asking for Cindy Moses because M.H. likes her, and M.H. trusts her, and she already has a relationship with her.

Williams: And I don't dispute that, and I don't have any reason to doubt the bond that Cindy Moses and the commitment that Cindy Moses has to the girls, but here is my concern, I feel like because of Cindy's and her involvement in providing individual therapy to Cindy, providing individual therapy to M.S.H., providing individual therapy to the girls, providing family therapy at some points to the whole group, she's going to have the same conflict that Mr. Foster has.

Plaintiff: Well you have it too because you're on the divorce case and on this case, so that's a conflict.

Williams: Cindy, we can keep talking about that, but the fact remains you've got to talk to your attorney and let him file whatever motions you... [Cindy is pro se, she does not have an attorney at that moment].

Plaintiff: I am asking for that now.

Williams: Well and I'm telling you I am not; I am not going to recuse myself!

Theresa Whaley: Okay, so let's move on. Can you [Scott Foster] tell us how the girls, besides M.H. not talking, how do they seem, how is Cindy cooperating?

Scott Foster: They seem, they're very comfortable in the in the Rideout home. You know, they've got everything. They've of course they told me that they want to go home. You, know, they've made it clear they want to go home to Mom. And you know like I said, S.H. is very talkative, very engaged in therapy and do some therapy through play techniques and different things like that. Both of them are very well mature for their age. I you know, I just, I just think that they would be better off with another therapist that has -- that they can talk to and not feel that there is a conflicting interest.

Theresa Whaley: Do they think that?

Scott Foster: I don't know if they think that or not maybe, that's just my opinion. I think they are afraid that if they tell me something that it's gonna come back to mom.

Pamela Stark: Comeback -- I was going to say exactly what they are thinking is that they say something to you and then you addressed it with mom and individual counseling or something maybe you don't want mom to know...

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Scott Foster: Yeah, maybe they don't want mom to know. So I don't want anybody angry with me or anything, but this is just...

Pamela Stark: I can see how the kids could do that, you know, they're afraid to open up to you because maybe they don't want something to get back to mom if they think that might hurt her or something.

Scott Foster: Right, right, and maybe or maybe not it would hurt.

Theresa Whaley: Why don't we compromise, and you continue seeing Scott and instead of the girls seeing Cindy Moses maybe see Maria Francisco who works with Cindy, but is could, would be more objective because she doesn't have all that history.

Plaintiff: Who is she with -- where is she?

Theresa Whaley: She is with Cindy Moses at her office, and she is very good, very consistent and she's of course a female, a younger female

Plaintiff: Well, I'm, don't have a problem with that.

Siegrid Maness: Seeing the girls

Theresa Whaley: Well, we were, but Cindy wants her to be seen -- wants the girls to be seen by Cindy Moses...

Theresa Whaley: Cindy is their mother, and I think we should respect that but if Cindy can compromise, I think we should compromise.

Siegrid Maness: Well, I'm NOT going to agree to someone in Cindy Moses' office. I realize I am a voice in the wilderness, but I am the Intervenor in the case, and I do have a right to express my opinion.

Theresa Whaley: You do, absolutely.

Plaintiff: I'm just curious why are intervening in the case?

Siegrid Maness: I'm in the case so that we can...

Keri Morrow: But I believe Maria Francisco would be very good, very professional, very objective, she is younger, and she has a fresh, gives reports, she does not have -- she is very thorough.

Williams: I would like to take some time to think about that, if it could, that is as expressing my opinion on that. I've worked with Maria, I like Maria.

Williams: but before I say yea or nay -- I want to think about it.

Pamela Stark: If she did it [Maria- therapy] and was certified with substance abuse then we could use that to cover what happened in that other case [17RI-JU00033 M.H.]. Like I said, stuff that happens in this case I can give her credit for cause I'm in the same deal in both cases -- yes, and with a drug charge its usually some kind

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of requirement. Since he does not want to do the individual with the girls, maybe he could do the drug treatment.

Williams: I've actually had Maria in trial...on the witness stand and she testified.

Plaintiff: [to Scott Foster] "aren't you a drug licensed counselor"?

Pamela Stark: If he does not want to do individual therapy maybe he [Scott Foster] could address the drug charge, maybe that would help.

Plaintiff: Yeah, I see what you're saying. Ok

Scott Foster: Hey! Can I interject something here?

Theresa Whaley: Yes.

Scott Foster: Are one or either of those therapists able to visits at the Rideouts home, because they have new foster children there it's gonna be...

Theresa Whaley: Marie doesn't do that.

Theresa Whaley: to Rideouts: Can you take them to Poplar Bluff for counseling?

Scott Foster: Well, it just would be a difficulty.

Cassie Rideout: Well, we probably can, I just. The kids we got right now; I'm not taking them to town.

Keri Morrow: You only had them for a few weeks.

Siegrid Maness: I'm involved in that case too.

Plaintiff: I think that I want Cindy Moses because of Ms. Williams not acquiescing and I was willing to have a fresh set of eyes and so that where I am going to stick with that.

Pamela Stark: It looks like we're going to have to wait until she gets an attorney so that....

Theresa Whaley: In the meantime Scott, do you want to continue seeing them or should be put counseling on hold.

Scott Foster: No, I will continue seeing them.

Plaintiff: But then if he [Scott Foster] feels like that they need a woman to talk to and they want another fresh set of eyes but, you know, I'm willing to acquiesce if Jennifer is but...

Theresa Whaley: Okay, well, what do you mean by that?

Plaintiff: Well, if she [Williams] recuses herself then I would get rid of Cindy Moses for another person.

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Siegrid Maness: They're not related issues.

Plaintiff: So if this woman [Maria] – I could because I don't know her either and she doesn't know the girls.

Theresa Whaley: Maybe we all agree Jennifer was thinking about it, but Jennifer knows Maria as well and we've all had really good experiences working with her. She works very well with kids; she works very well with families. And I think she would be a very good – if anybody can get M.H. to open up, she can.

Plaintiff: Okay, well, I respect your opinion you know I respect Mrs. Stark's opinion.

Pamela Stark: Whoever we end up with M.H. it would really, I would really like it to be somebody who has got that substance abuse licensing as well. So that we can deal with, so she don't have to do court for both as well.

Theresa Whaley: Maria has kids M.H.'s age and she's very good and she consistent and as Kerri said she provides very good report, she testifies very well, so she would be a great person for...

Plaintiff: I've never heard of her until this second, so...

Theresa Whaley: She had been with Cindy for a while and prior to that she was in I think at SEMO Behavioral Health doing the substance abuse.

Pamela Stark: I don't think S.H. or Diane... have that certification.

Scott Foster: They don't have that certification, (the substance abuse certification).

Cassie Rideout: I mean, I can take her wherever if my daughter will sit at the house with the other kids. So I mean there's not really a problem with that.

Theresa Whaley: Cassie, John, you want to tell us how girls are doing and tell us about visits and things like that.

Cassie Rideout: The girls are doing really good; we had an issue there for a couple weeks where all they wanted to do was bicker, gripe, and argue constantly

John Rideout: and hit each other

Cassie Rideout: oh yeah, hit, but that has calmed down, they don't do near the arguing this week so...

Theresa Whaley: Well, they were out of school last week by themselves and once your grandkids got out of school—

Cassie Rideout: Yeah. And S.H.'s got kids to play with so--

Theresa Whaley: And what about the visits?

Cassie Rideout: The visits for the most part are good there are times like Cindy's been there when they have been arguing and she can't even get them to stop the arguing. I mean it

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still continues even when she is there.

Keri Morrow: It's a competition.

Plaintiff: Sibling rivalry.

Cassie Rideout: There's lot and lots of competition for mom's attention and of course S.H. wants all the attention and M.H. wants all the attention and they can get jealous when they think that it should be their attention and not the others, which is understandable.

Theresa Whaley: And so what are you guys doing with that; how many hours a week now; about 8?

Cassie Rideout: We are doing 8, close to 8 in the most part; there has been sometimes when Cindy, of course had to deal with the flood (April-May 2017) and Cindy had other things to do, but other than that, yeah.

Williams: Are you seeing anything that causes you concern for manipulation behavior?

Cassie Rideout: Cindy does tell girls do not talk and don't say nothing, which I told her I didn't agree

Plaintiff: the reason [told M.H. not to talk about the criminal case except with her lawyer]

Cassie Rideout: and I had told M.H. that I do not agree nor S.H. that I think the not talking is what this case is keeps going on and on and on because nothing's getting resolved.

Theresa Whaley: She tells them do not to talk to counselor, to us?

Cassie Rideout: All when she went into the hospital when she was with us, she did tell her don't tell them anything that you want to come home with mom and she pretty much didn't really do much talking because of that, which I told her while we were down there, now you have to talk you have to get this resolved and then last week Cindy had told them, don't talk to anybody, just tell them your name.

Plaintiff: And what was the reason for that?

Cassie Rideout: You said because she was lawyering up [for a criminal case against M.H. for possession of marihuana that was found in school]

Plaintiff: That's right.

Theresa Whaley: But I have had, like for example when we did the interview with M.H. for the sexual abuse investigation that's pending right now, I sat in on that and she didn't say a word. She just totally shut down and cried a little, teared-up, wouldn't talk, that's not necessarily.

Plaintiff: I had not told her not to talk about anything that she needs to talk.

Cassie Rideout: But you told her not to talk.



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Plaintiff: About what?

Cassie Rideout: I think she feels like she cannot talk...

Scott Foster: She internalized it to everything and instead of just what talking about.

Plaintiff: Yeah, I'm not telling her not to tell her feelings and what she needs to communicate about, not that.

Cassie Rideout: Well you need to explain it her because she's getting the message, don't talk, don't tell anybody anything.

John Rideout: She is getting the message wrong.

Plaintiff: Well, I will be glad to tell her that, because that's not the intent at all.

Cassie Rideout: Which I told you I totally didn't agree with that.

Pamela Stark: Why don't we let that be addressed in family counseling.

Theresa Whaley: That's a good idea.

Scott Foster: And on that let's get another counselor. I am going to continue family therapy. And I am glad. I will continue with the family counseling.

Pamela Stark: You address that.

Scott Foster: Okay.

Pamela Stark: Because I think in the visits it may be an inappropriate place to talk about it, is what I'm saying. Your visits are your time to focus on your relationship and with the girls and your bonding, that's what's that for, don't interrupt that with that. You deal with that in the counseling. That's the best place to do it.

Theresa Whaley: M.H. is tough, I mean, when they were in care before, when she was younger, she would at least talk and now it's I can hardly get anything out of her.

Plaintiff: That's not the intent that...

Pamela Stark: That's what I'm saying, maybe do it through counseling so the intent gets understood.

Plaintiff: Yes. Okay.

Scott Foster: I noticed when I when I talk with her if I don't make eye contact with her then she talks a little more.

Pamela Stark: So like if you look down or something?

Scott Foster: If I look down like in my notes, maybe fictitiously, but like jotting something

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down she will talk more but if I make eye contact with her, she shuts down.

Plaintiff: Well that probably, that's partly because of Chuck. I'll say that much.

Pamela Stark: Why do you say that?

Plaintiff: Because "look at me, look at me look at me"!!!

Scott Foster: Oh is that what he did?

Cassie Rideout: Oh, is that what he did it to the girls?

Plaintiff: All of us, sorry.

Pamela Stark: That's why those things are important that they be talked about because we can deal with them and help address the aftermath of all that.

Plaintiff: I've asked for help with all my children, and we've been put through hell, hell.

Theresa Whaley: But Cindy, when you asked for help, I mean, this is what we're trying to do, here.

Plaintiff: I know, I understand.

Theresa Whaley: And telling the girls not to talk is not helping.

Plaintiff: Well that not the intent for that, I don't want them not to talk about what they feel about, I'm talking about for legal stuff [17RI-JU00033 that Pam Stark opened up on M.H. – marihuana possession case].

Theresa Whaley: But they don't understand that. They just don't understand, they are kids.

Cassie Rideout: No, M.H. does think it's don't talk, means don't talk at all, hold it up and that's not good for her.

Plaintiff: No, she is terrible for her. I had told her to talk to talk and tell Scott everything, I told her to talk and tell Scott everything many times I've told her to do that.

Pamela Stark: Well, hon, like I said everyone at this table agrees with the goal of reunification. So everyone here is working trying to get through the problem so that the girls can be successful in your home and can help you deal with the problems you're having as well, emotionally so that you can be a functional family.

Plaintiff: Well, I mean try walking in my shoes.

Pamela Stark: We all want that.

Plaintiff: Try walking in my shoes for, you know, twenty years or something like that...

Cassie Rideout: I do know that if M.H. was told that she has to see Chuck.

John Rideout: She doesn't want to.

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Williams: I don't think anybody is in a position ...[laugh]...to recommend that...

John Rideout: That is the LAST THING that she wants.

Cassie Rideout: Because I mean she is just 100% -- she is even scared. She does not want to see him.

John Rideout: There is NO WAY! (that M.H. wants to see Chuck)

Theresa Whaley: And I wasn't telling her she had to see Chuck or Bernice, but she and I had a conversation not long ago and you were there Cassie, not long after she came here. I said "you know what it's okay if you want to see them. You know, your mom is not going to be mad, and we want to support you and you know it's okay to love everybody, you don't have to take sides. And she just shut down immediately, she teared-up and you can just tell that you know when she gets mad, and she just feels like that we are all out -- and she even said that in one of the hospital reports. I think that she felt like we were going to make her see Chuck.

Cassie Rideout: make her go back to see Chuck.

Theresa Whaley: And so, you know, she just, she is very adamant, she does not want to see him.

Plaintiff: This is my understanding -- the intervenor here has you know put these girls or asked for them to be back at grandma's house and that Chuck has taken these girls, Chuck has taken these girls around to every single place that he molested M.S.H. Exactly.

Plaintiff: Alone, and I am SICK of that. I'm not going to put up with another child getting molested again. I want somebody to help me to protect my children!

Pamela Stark: Okay, it is my understanding that the intervenor is not asking for it anymore, that is not going to happen.

Plaintiff: Well she [Siegrid Maness] has asked for that and she knew how it was!

Pamela Stark: We are not going to agree to that.

Plaintiff: She knows. (She meaning Siegrid Maness)

Williams: Grandmother is not an option for placement now.

Plaintiff: Then why are you in here as an intervenor?

Siegrid Maness: Because I am an intervenor.

Plaintiff: Why?

Williams: Grandparents have a statutory right to intervene in juvenile cases.

Sigrid Maness: And situations can change.

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Plaintiff: What, the 90-year-old woman is going to go back in age?

Siegrid Maness: Sure.

John Rideout: [Laughing]

Theresa Whaley: Siegrid said she would like to see the girls. She didn't say she wanted the girls to come back.

Theresa Whaley: I don't think they want to see her because grandma has not protected them.

Williams: We have already discussed that that's gonna be addressed in therapy and in their individual therapy and the therapist is gonna make whatever recommendations they deem appropriate based on their therapy with the girls. Nobody is suggesting at this point that the visits need to start right away.

Theresa Whaley: And I will tell you that I am not in favor of it, and I won't be in favor it.

Scott Foster: I never knew that was even an option. I mean I didn't know that was supposed to be happening under these circumstances.

Theresa Whaley: Well, I mean from Children's Division perspective if the girls are saying they don't want to see grandma, I am not going to recommend it.

Plaintiff: Well, M.H. has told the GAL over and over and over and we had a whole December 7<sup>th</sup> hearing in front of the judge, she said that, and I said that. I had a witness there that she did not want to go there (to Bernice's House). She was uncomfortable with that, and they forced her to go there against her wishes, which is not respecting M.H.'s wishes or helping them in their well-being in their best interests.

Williams: Cindy, I want to make sure you understand my role in this. My role is NOT to parrot back what a child tells me they want, now that is important to me. When they do express a preference, it is important to me because I want to know why they feel the way they feel.

Plaintiff: And not to parrot Chuck.

Williams: I do not get to stand in front of a judge and say this kid tells me they want a, b, and c and that's what you need to do. My job is in fact is to use my independent judgment and tell the court what I believe in that independent judgement is best for these girls.

Plaintiff: Well you've barely seen them, barely seen them. And you have, you are parroting, in my opinion, this is my humble opinion here and this from what I see, is that you're parroting Chuck and you're parroting her, Siegrid Maness.

Theresa Whaley: And Jennifer did say that before all this happened when the girls were with Chuck, they were saying things about Cindy and when they were with Cindy they were in a position where you didn't really know what to make to think at that

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point.

Williams: From M.H. there were inconsistent statements. S.H. was very consistent in her preference, M.H. initially not.

Pamela Stark: that's what happened in the forensic interview too.

Williams: Since then there have been other things and M.H. has been extremely consistent in her preferences and in her opinion.

Plaintiff: She was that way in court on December 7th 2016. She was very consistent, she hasn't changed.

Williams: But that's after making inconsistent statements to me.

Plaintiff: Such as what, was this on a Sunday visit?

Williams: I'm not going to disclose to you what that child said.

Plaintiff: It was a Sunday meeting with the father unbeknownst to me where these people -- the children did not even tell me that they saw you. I didn't even know that they'd seen you and I was waiting for a call from you to bring the children in, to see you and this was like behind my back as a mother.

Williams: Those are my clients, Cindy, I am entitled to see them any time.

Plaintiff: But not to tell them not to tell me.

Williams: I never told them not to tell you. They may have been told that by other parties.

Plaintiff: They were told. I think if I remembered correctly, M.H. told me.

Teresa Whaley: That was also reported to me and Cassie.

John Rideout: Yeah, that they were told not to tell you.

Cassie Rideout: Yeah, that Chuck told her not to tell you, I don't think Jennifer did.

Cassie Rideout: Yeah, they told me that, yeah. But they also said that you [to Williams] said not to say anything to anyone either.

Williams: Well I don't have to disclose to any party that the kids have come to see me.

Plaintiff: Well, I had asked you to call me, and you said, this is when I first went in to see you. I spent an hour with you, paid you the \$750.00 and then we went - I said, well, would you like me to bring the kids in to see you? You said, well not until you've seen both parents. I thought, well, that's reasonable and I didn't have a problem with that and so like two months later down the road I called back up and I said, well have you got to see Chuck yet? No, he hasn't come in yet. So I said, well, just call me back and let me know and I'll bring the kids in.

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Williams: I saw Chuck the same day I saw the girls.

Plaintiff: Ok, so then the next thing I heard was from Jasper saying well GAL is all upset because you haven't brought the kids in to see her, and she hasn't seen the kids and why haven't you done that. I said well, I'm waiting for a call from her to see when to bring them in. I checked with you twice, you know up there at your office, or three times.

Pamela Stark: Ok, Can I interject for a second honey? Here's the thing, that's all in the divorce case and it's all behind us, we're looking forward...

Theresa Whaley: Yeah.

Pamela Stark: We are trying to figure out what we need to do to get to the end result in our juvenile case which is reunification with you Hon ok?

Theresa Whaley: and that's my understanding.

Plaintiff: I just want her [Williams] to be advocating for M.H. and S.H., not for Chuck, okay, that's my part.

Pamela Stark: and you've voiced that, so...

Williams: I do, what I feel is in their best interest. Right now my opinion is that is reunification with you and making sure that you all as a family get the services that you need to be a healthy functioning family.

Theresa Whaley: So in order to accomplish that we were going to continue in counseling. M.H. is going to have...

Pamela Stark: Individual, family - you are good with all that and it's all on your shoulders over there (Scott Foster).

Keri Morrow: We are going to recommend Maria Francisco, Children's Division. You got to get a lawyer. I know but as soon as you can, tell them to put all this in place.

Plaintiff: Well, I've been working on that.

Cassie Rideout: I know it says do I agree with the plan, and there is so much going on.

Theresa Whaley: The plan is reunification with Cindy.

Cassie Rideout: Okay.

Theresa Whaley: And then M.H. is having a psychic evaluation in July. Cindy, I can very gladly set you up with a psychological evaluation with the same people, if you want that.

Plaintiff: Go ahead, if my lawyer doesn't agree with it then I want to have an option to bow out.

Theresa Whaley: Okay, you need to set it up if you are willing to do it.

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Pamela Stark: So get it sent and talk to your attorney.

Scott Foster: There is nothing set in stone.

Theresa Whaley: That will be awhile anyway, so we will go ahead and do that. And you're going to do the parenting classes with Judy.

Plaintiff: Yes.

Theresa Whaley: Am I'm I forgetting anything?

Pamela Stark: No, I don't think so

Scott Foster: Can I have a request that M.S.H. not participate in individual therapy?

Plaintiff: Yes.

Williams: I am in favor of that.

Theresa Whaley: Does she?

Scott Foster: Well, she has been the last few times. I mean not individual therapy but it kind of the family. I did family session with her and Cindy and she's just very boisterous, you know, it's just like—

Pamela Stark: Right now we're trying to focus on the family.

Scott Foster: Yeah, maybe – I like M.S.H., don't get me wrong, but I just

Plaintiff: That's fine, that's fine. I thought that was what was supposed to happen, I didn't know.

Theresa Whaley: Well, and every so often if Scott wants to bring her in for something that might be okay, but we're trying to focus on reunification and your issues with the girls and so, you know nothing against M.S.H., but we need to talk about the girls' issues.

Plaintiff: That's fine.

Theresa Whaley: Okay, so we'll keep the visitation as is for now and that's going okay you are not having any problems John, Cassie, with any of that?

Cassie Rideout: No. She [Cindy] wants to take them out and go do stuff with them, which is okay, I am not going to be able to do that right now because of the other three kids we got.

Plaintiff: I'm going to request that the girls come home for a weekend visits and unsupervised visits, because there is nothing, no reason that they are in care, she took them [Williams] she said that there was an "educational neglect." M.H. is a year ahead in school.

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Theresa Whaley: And we haven't had any adjudication hearing yet, so I think you and your attorney can you know, do whatever.

Pamela Stark: File a motion.

Theresa Whaley: Yeah, because I can tell you, I mean, I don't think the team is going to agree with that at this point.

Cassie Rideout: Now if she wants somebody else to supervise, to go on out what do we need to do if she want to take them?

Keri Morrow: We can ask somebody to supervise the visits.

Williams: Yeah, because nobody wants to get in a position where she's not going to get her visits.

Theresa Whaley: No, she is getting her visits.

Plaintiff: It's not very long, I mean the visits that I have. I mean I know I'm trying to not have visits with them as much because I don't want to put the foster home out and stress that situation out, but I would like to have them on weekends.

Keri Morrow: We can get a contractor to supervise the visits and that would be a lot easier. You could go out to eat or

Plaintiff: I mean, I'm not complaining about anything, I'm just saying I would like more time with my children.

Theresa Whaley: And may we can do it, you know, they can do 4 hours a week and you guys can do 4 hours a week, something like that. Do you want to do that?

Keri Morrow: Okay, that's no problem.

Keri Morrow: There would be another set of eyes, so has her sign that and pass it around.

Plaintiff: Oh, thank you.

Pamela Stark: In that way you can go do more with the girls.

Plaintiff: I mean Jasper is not my attorney anymore.

Theresa Whaley: Yeah, you can mark him off.

Pamela Stark: You can mark him off. Who would you use right now? (for extra visits with the girls for Cindy)

Theresa Whaley: Well we can use, well, you (speaking to Scott Foster) have somebody in your office supervise the visits. Who, Chelsea, who is she with?

Scott Foster: She is with---

Theresa Whaley: She is with OFRA isn't she? (Ozark Family Resource Agency). I used Chelsea



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quite a lot, she's good. Chelsea Nance. I am trying to think of the girl's name in your office that does it. Do you [talking to Scott Foster] have a Parent Aid down there or something.

Scott Foster: Oh, you talking about the youth Pastor, what's her name.

Theresa Whaley: I can't remember her name.

Scott Foster: Her husband is the youth pastor at His Place (a church in Doniphan).

Keri Morrow: We will find one.

Scott Foster: Yeah, I can't think of her name.

Theresa Whaley: You guys have so much, I'll refer her, Chelsea is fun, you will like her.

Theresa Whaley: Okay, I guess that's it.

Theresa Whaley: Angelina, do you have any questions?

Angela Champion: No.

Plaintiff: Well, I would like to go the river and swim, that's what the girls and I do all the time.

Judy Moss: Do you have a court order for CASA?

Williams: Did you not get my response to that email?

Plaintiff: I got only yours.

Pamela Stark: I didn't hear from anybody, so I can't get an order (for CASA worker Champion).

Judy Moss: It was all right before we were going to do this with a fresh eyes, so I got someone from another county who doesn't know anything about this case.

Cassie Rideout: Does the CASA worker come to see the girls at the house, or do I take them, what all goes on?

Judy Moss: At the house.

Plaintiff: Okay.

Judy Moss: So she will need your telephone number so she can contact you.

Plaintiff: Email me whatever you need, because I don't have an attorney, don't email Jasper anymore---

Judy Moss: Write it down here so I'll have it.

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Scott Foster: Okay. So on the 5<sup>th</sup> (June 5, 2017) we're just...

Williams: Picking a new date for the adjudication

Scott Foster: Okay, so it's continued. There is no reason for me to have to be there.

Williams: Right.

Judy Moss: You probably won't even have to be there.

Williams: Unless there are certain dates that you wouldn't be available for court.

Scott Foster: Okay.

Theresa Whaley: Thanks, have a good weekend.

Plaintiff: Well, could you just verify that email with me to ensure it's the right one. No, I mean, the address for notices....

Pamela Stark: I just copied what she gave me.

Theresa Whaley: On M.H.'s June 5<sup>th</sup>, we're going to show up at 10:00 a.m./9:00 a.m., what was it, there was some reason?

Pamela Stark: No, it hasn't been not assigned to him [Judge Shock] of as yet. Right now I'll have to a just announce that was the agreement and then when he recuses himself.

Scott Foster: No I have to get back to the office.

Theresa Whaley: Thank you Scott, see you, thanks so much.

Pamela Stark: That recommendation is not for DFS.

Plaintiff: I don't understand.

Pamela Stark: Usually when I get something like this – I'm looking for treatment, if we're going to try to get through the other case (17RI-JU00033) that'll be good. And it's a misdemeanor charge and so usually we do twenty hours of community service, and she doesn't come on probation where I monitor her, I go to her home where she is.

Plaintiff: Is this on her record?

Pamela Stark: It's not on her record, honey, because juvenile case is sealed

Theresa Whaley: And this is pretty standard for any kid that gets caught with possession at school.

Pamela Stark: This is the recommendation; she has no prior history.

Plaintiff: What is the recommendation if they get caught while in home school or

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something, what would they do with the parent?

Pamela Stark: That is what I am trying to get you to understand, that's like asking a pet doctor, a vet to treat you -- that's beyond what I do. If you have an issue, there do what you need to do.

Plaintiff: Well, I mean I have an issue with the school for not protecting M.H. from drugs at school.

Pamela Stark: Then go to the school board -- this is how you would address it. The school board and you can give a statement to the school board and if that doesn't work then take it up to the Department of Education or I am trying to say as a parent I would first start with the school board then the Department of Education and it goes up. You can go to Snyder (Public School superintendent), and she could advise you about the school board. See if I can get the number and write down for you. After you talk to them see how you feel about it. If I were homeschooled, I would get involved in drug classes in public schools and I would like M.H. to be involved in something like that so she could be proactive against drugs. They went from having two officers at the school down to one. I'm not trying to hurt your daughter, I'm trying to help here.

Plaintiff: Ok, I don't understand what their goals are and what their agenda is.

Pamela Stark: One CAN case (17RI-JU00011, 12 -S.H.), and one School (Case 17RI-JU00033).